




SO ORDERED.

SIGNED this 7th day of April, 2017.

  
BENJAMIN A. KAHN  
UNITED STATES BANKRUPTCY JUDGE

C-13-7a  
(Rev. 01/12)

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

In Re:		)	ORDER CONFIRMING PLAN
Janice Marie Barbour	SS# xxx-xx-9781	)	CHAPTER 13
9593-B Highway 96 N		)	
Oxford, NC 27565		)	
		)	Case No. B-16-81130 C13D
		)	
Debtor(s)		)	

This case came before the Court, after notice and opportunity for hearing, for confirmation of the Chapter 13 plan proposed in this case; and IT APPEARING to the Court as follows:

I. The Trustee in this case is Richard M. Hutson II, Standing Trustee, Post Office Box 3613, Durham, North Carolina 27702;

II. The attorney for the Debtor(s) is John T. Orcutt;

III. Under the final plan (the "Plan") as proposed:

**A. Plan Payments**

1. The Debtor(s) is/are to make monthly payments to the Trustee which are to be disbursed by the Trustee in accordance with the Plan and this Order;
2. The monthly plan payment to the Trustee is \$767.00 beginning 02/10/2017; Payments into the Plan shall be increased to \$1,082.00 per month beginning 03/2017.

**B. Administrative Costs**

1. **Attorney Fees.** The Attorney for the Debtor(s) is allowed the base fee of \$4,500.00. The Attorney has received \$0.00 from the Debtor(s) pre-petition and the remainder of the base fee will be paid by the Trustee as funds are available.
2. **Trustee costs.** The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses.

**C. Priority Claims**

Any timely filed claims entitled to priority under 11 U.S.C. §507, on behalf of the entities listed below, will be paid in full in deferred cash payments unless otherwise indicated.

1. Internal Revenue Service
2. North Carolina Department of Revenue
3. Granville County Tax Collector

**D. Secured Claims****1. Secured Claims To Be Paid In Full - Real Property**

Creditor & Property	Claim Filed (Y/N)	Amount of claim	Monthly Payment	Interest Rate
Fidelity Bank 9593-B Highway 96 N Oxford, NC	Y	\$21,028.28	\$485.52	5.5%
Granville County Tax Collector 9593-B Highway 96 N Oxford, NC	Y	\$1,375.76	\$29.00	9%

**2. Secured Claims To Be Paid In Full - Personal Property**

Creditor & Property	Claim Filed (Y/N)	Claim Amount	Monthly Payment	Interest Rate	AP Payment
Capital One Auto Finance 2011 Chevrolet t/e 7/1/16	Y	\$23,111.21	\$531.80	5.50%	\$180.00
Capital One Auto Finance ("the creditor") shall receive adequate protection payments in the amount of \$180.00 per month for ten (10) months from confirmation, after which point the Chapter 13 Trustee shall commence equal monthly payments in the amount of \$531.80, until such time as the claim is satisfied. Pursuant to 11 U.S.C. §1325(a)(5)(B)(i), the creditor shall retain its lien against the automobile until the earlier of the payment of the underlying debt determined under non-bankruptcy law or the Debtor's discharge pursuant to 11 U.S.C. §1328.					

**E. General Unsecured Claims Not Separately Classified.**

General unsecured claims not separately classified will be paid as funds become available after payment of costs of administration. The estimated dividend to general unsecured claims is 100% plus interest at the federal rate of .87% from the petition date of December 29, 2016, until entry of the confirmation order and thereafter at the rate of 5.50% interest per annum

- F.** The Debtor will pay **THE GREATER OF** (i) a minimum of 36 monthly plan payments, OR (ii) the amount necessary to pay all allowed costs of administration and secured claims as scheduled for payment through disbursements by the Trustee, and priority and general unsecured claims to receive 100% plus interest at the federal rate of .87% from the petition date of December 29, 2016, until entry of the confirmation order and thereafter at the rate of 5.50% interest per annum due to the liquidation value of the estate, with the plan to be reviewed in 6 months and periodically thereafter for plan payment adjustments;

- G. The terms and provisions of the Standing Order dated March 11, 2016, are incorporated in this Order and are available on the Court's website at [www.ncmb.uscourts.gov](http://www.ncmb.uscourts.gov).
- H. **IT FURTHER APPEARING** to the Court that the Plan complies with the requirements of 11 U.S.C. §1325; therefore, it is

**ORDERED** that the Plan is confirmed.

END OF DOCUMENT

PARTIES TO BE SERVED  
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RICHARD M. HUTSON, II  
STANDING TRUSTEE  
P.O. BOX 3613  
DURHAM, NC 27702-3613